

H-1

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|-------------------------------|----------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/750,551 | SMITH ET AL. | |
| | Examiner Ronald W. Leja | Art Unit 2836 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to RCE and IDS of 11/13/2005.
2. The allowed claim(s) is/are 1-38.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

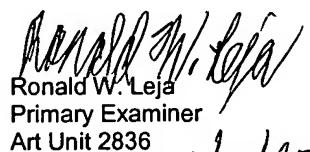
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/13/2005
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date 12/8/2005.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.



Ronald W. Leja
Primary Examiner
Art Unit 2836

12/10/05

Art Unit: 2836

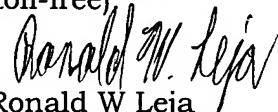
The following is an Examiner's Statement of Reasons for Allowance: The claimed combinations found within Independent Claims 1, 5, 8, 9, 30 and 36 are considered to be novel and unobvious in view of the Prior Art of Record. The claims are drawn to immobilization devices or methods for immobilizing a target. Claims 1, 5 and 30 are drawn to the use of first and second electrodes which provide a first signal prompting movement of the target toward a third electrode. The third electrode forms a complete circuit as a consequence of the movement and a second signal therethrough immobilizes. Claims 8, 9 and 36 are drawn to the testing or selecting of a set of electrodes from a subset of electrodes for delivery of the immobilization signal. Test electrodes in immobilization devices are known in the Art, but they often merely allow for a visual discharge to offer the user a sense of the condition of the device. Testing of the power supply or the gathering of data associated with a charge is known. Even the use of multiple electrodes is known in the Prior Art. However, it is the opinion of the Examiner, that the use of subsets of electrodes, the testing of subsets of electrodes and the selecting of subsets of electrodes for immobilization signal delivery as found within the claimed combinations are considered to be novel and unobvious in view of the Prior Art of Record.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald W. Leja whose telephone number is (571)272-2053. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571)272-2800. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ronald W Leja
Primary Examiner
Art Unit 2836

rwl
December 10, 2005

12/10/05



3/4

Approved
R.W.L
12/10/05

| DESCRIPTION | STIMULUS SIGNAL | | TARGET MANAGEMENT | |
|---------------------------|---|-----------------------|------------------------|------------------------|
| | PATH FORMATION | PATH TESTING | STRIKE | HOLD |
| STAGE | | | | REST |
| SHAPE | | | | — |
| DURATION | 10–100 μ SEC | 10 μ SEC | 50 μ SEC | 50 μ SEC |
| AMPLITUDE | A=50KV POWER = 0.75–3.0 JOULES | A=450 V | A=SPV B@100 μ C | A=SPV B@100 μ C |
| REPETITION RATE | N/A | 1 TO 3 PULSES/MIN. | 20/SEC | 10/SEC |
| TYPICAL DURATION OF STAGE | 0.0005 SEC | 0.001 SEC | 2 SEC | 28 SEC |
| | | | | 2 SEC |

FIG. 3

3/4

| DESCRIPTION | STIMULUS SIGNAL | | |
|---------------------------|---|-----------------------|-------------------|
| | PATH MANAGEMENT | PATH TESTING | TARGET MANAGEMENT |
| STAGE | PATH FORMATION | PATH A | STRIKE |
| SHAPE | | | A |
| DURATION | 10-100 μSEC | 10 μSEC | HOLD |
| AMPLITUDE | A=50KV POWER = 0.75-3.0 JOULES | A=450 V | B |
| REPETITION RATE | N/A | 1 TO 3 PULSES/MIN. | REST |
| TYPICAL DURATION OF STAGE | 0.0005 SEC | 0.001 SEC | |
| | | 2 SEC | |
| | | 28 SEC | 2 SEC |
| | | | |

FIG. 3